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Committee on the Peaceful Uses of Outer Space
Forty-second session
14-16 July 1999

Provisional agenda for the forty-second session

To be convened, also as the final session of the Preparatory Committee for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), at the United Nations Office at Vienna on Wednesday, 14 July 1999, at 10 a.m.

I. Provisional agenda

1. Adoption of the agenda.
2. Election of officers.
3. Statement by the Chairman.
4. General exchange of views.
5. Preparations for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) by the Preparatory Committee for UNISPACE III.
6. Report of the Scientific and Technical Subcommittee on the work of its thirty-sixth session (A/AC.105/719).
7. Report of the Legal Subcommittee on the work of its thirty-eighth session (A/AC.105/721).
8. Other matters.
9. Report of the Committee to the General Assembly.

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II. Annotations

1. Adoption of the agenda

2. Election of officers

1. At its forty-first session, in 1998, the Committee on the Peaceful Uses of Outer Space was informed that Mouslim Kabbaj (Morocco) was unable to complete his term of office as Second Vice-Chairman/Rapporteur of the Committee. The Committee recalled the agreement that it had reached in 1997 on the working methods of the Committee and its subsidiary bodies,[1] which provided that when any officer could not complete a term, the regional group holding the office concerned should nominate a candidate to be elected at the beginning of the session that immediately followed the termination of that officer's tenure. The Committee noted that the Group of African States required further consultations to nominate a candidate. In a note verbale dated 22 October 1998, members of the Committee were informed that the Group of African States had endorsed Mohammed Aït Belaïd (Morocco) as its candidate for the post of the Second Vice-Chairman/Rapporteur of the Committee. The election of the Second Vice-Chairman/Rapporteur will take place at the forty-second session of the Committee.

2. At the opening meeting of its thirty-eighth session, in 1999, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space was informed that Václav Mikulka (Czech Republic) was unable to complete his term of office as Chairman of the Legal Subcommittee. The Subcommittee recalled that the working methods of the Committee and its subsidiary bodies referred to in paragraph 1 above also provided that if an election took place in a Subcommittee to replace any officer who could not complete a term, the election should be approved retroactively by the Committee at its session during the same year. The Subcommittee elected Vladimír Kopal (Czech Republic) to complete the three-year term vacated by Mr. Mikulka.

3. Statement by the Chairman

3. Following the adoption of the agenda by the Committee and the organization of work, the Chairman will make a statement reviewing developments of relevance to the work of the Committee that have taken place since its forty-first session. The indicative schedule of work, which will be followed with flexibility, is contained in the annex to the present document.

4. General exchange of views

4. The Committee will begin its substantive work with a brief general exchange of views. In view of the work to be accomplished within the three days allocated to the forty-second session, member States are encouraged to limit their remarks in order to ensure that the Committee has sufficient time for the substantive agenda items.

[1] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 20* (A/52/20), annex I.

5. Preparations for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) by the Preparatory Committee for UNISPACE III

5. In paragraph 22 of its resolution 53/45 of 3 December 1998, the General Assembly endorsed the recommendations of the Preparatory Committee for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) at its 1998 session, as contained in its report,[2] and requested the Preparatory and Advisory Committees and the executive secretariat to carry out their tasks in accordance with those recommendations. In paragraph 18 of the resolution, the Assembly agreed that the Advisory Committee should reconvene the Working Group of the Whole at its 1999 session to finalize its preparatory work.

6. The Working Group of the Whole considered the revised text of the draft report of UNISPACE III (A/CONF.184/PC/1, annex), which had been prepared by the Secretariat on the basis of comments made by the Preparatory Committee at its 1998 session. The Working Group provided detailed comments in order to finalize the text. In accordance with the agreement of the Working Group (see A/AC.105/719, annex II, para. 8), the executive secretariat prepared, on the basis of comments provided by the Working Group, the revised draft report (A/CONF.184/3), including the revised text of "The Space Millennium: Vienna Declaration on Space and Human Development" and the summary of the draft report, to be finalized at the 1999 session of the Preparatory Committee. The revised draft report has been distributed to all Member States.

7. The Working Group had before it a report of the Secretariat on organizational matters relating to the holding of UNISPACE III (A/CONF.184/PC/L.4). The Working Group made recommendations on a number of issues relating to the organization of UNISPACE III, including the distribution of offices of the General Committee and the establishment of a drafting group, the allocation of agenda items and the schedule of work of the plenary and Committees I and II, arrangements for the activities of the Technical Forum and additional international organizations to be invited (see A/AC.105/719, annex II, paras. 12-22).

8. The Advisory Committee adopted the report of the Working Group of the Whole on the preparations for UNISPACE III (A/AC.105/719, annex II) and noted that the report provided the basis for the Preparatory Committee to finalize its preparations for UNISPACE III (see A/AC.105/719, para. 17).

9. During its thirty-eighth session, the Legal Subcommittee reviewed the draft of its Chairman's report to UNISPACE III on the work of the Subcommittee (A/AC.105/C.2/1999/CRP.6, annex) and provided comments on the text. The Subcommittee noted that the draft report would be revised on the basis of those comments and that the final text would be presented to UNISPACE III.

10. The Legal Subcommittee also reviewed and provided comments on the text of the subsection entitled "International space law" of the draft report of UNISPACE III (A/CONF.184/PC/1, annex, paras. 302-311). Those comments are reflected in the revised draft report (A/CONF.184/3; see also para. 6 above). Pursuant to the agreement of the Subcommittee, the Preparatory Committee will also have before it a document (A/CONF.184/PC/CRP.22) containing other comments made by the Subcommittee on the text of the draft report (see A/AC.105/721, para. 71).

[2] Ibid., *Fifty-third Session, Supplement No. 20* (A/53/20), chap. II, sect. B.

11. In paragraph 27 of its resolution 53/45, the General Assembly agreed that pre-Conference consultations by all States Members of the United Nations should be convened on 18 July 1999 at the site of UNISPACE III and requested the Preparatory Committee to report during the consultations on the work it had conducted.

6. Report of the Scientific and Technical Subcommittee on the work of its thirty-sixth session (A/AC.105/719)

12. At its thirty-sixth session, in 1999, the Scientific and Technical Subcommittee, in accordance with paragraph 13 of General Assembly resolution 53/45, considered, as priority items, firstly, space debris and, secondly, the United Nations Programme on Space Applications and the coordination of space activities within the United Nations system.

Space debris

13. The Subcommittee took note of the replies from Member States submitted in response to paragraph 31 of General Assembly resolution 53/45 (A/AC.105/708 and Add.1), and the conference room paper on space debris submitted by the Russian Federation (A/AC.105/C.1/1999/CRP.4). The Subcommittee agreed that the Inter-Agency Space Debris Coordination Committee should again be invited to make a presentation on its work at the thirty-seventh session of the Subcommittee. The views expressed are reflected in the report of the Subcommittee (A/AC.105/719, paras. 20-42).

14. Pursuant to paragraph 12 of resolution 53/45, the Subcommittee noted with satisfaction the draft technical report on space debris (A/AC.105/707), which contained the technical changes and amendments proposed during the inter-sessional period. The Subcommittee adopted the draft technical report, together with the changes proposed by the drafting group. The Subcommittee noted that the technical report on space debris (A/AC.105/720) would be submitted to the Committee on the Peaceful Uses of Outer Space at its forty-second session and agreed to have the technical report widely distributed, including by making it available to UNISPACE III, the Legal Subcommittee at its thirty-ninth session, international organizations and scientific meetings (see A/AC.105/719, paras. 27 and 33-35).

The United Nations Programme on Space Applications and the coordination of space activities within the United Nations system

15. The report of the Subcommittee contains a review of the United Nations Programme on Space Applications and its activities for 1998 and 1999 and a proposed programme of activities for 2000, which it recommended to the Committee for its approval (A/AC.105/719, paras. 44-57).

16. The Subcommittee noted (see A/AC.105/719, para. 64) that at its twentieth session, scheduled to be held at the United Nations Office at Vienna from 2 to 4 February 2000, the Inter-Agency Meeting on Outer Space Activities would address, among other things, coordination of activities related to the plan of action of UNISPACE III.

Review of the future work of the Scientific and Technical Subcommittee

17. Having recalled that, in accordance with paragraph 14 of General Assembly resolution 53/45, consideration of several agenda items had been suspended for one year to be resumed at its thirty-seventh session, the Subcommittee agreed that it should review the structure of its agenda taking into account the recommendations of UNISPACE III.

During the thirty-sixth session of the Subcommittee, Germany, on behalf of Austria, Canada, China, the Czech Republic, France, Greece, Hungary, Italy, Japan, Morocco, Romania, the Russian Federation, Spain, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America, submitted a proposal to revise the agenda of the Subcommittee following the convening of UNISPACE III (A/AC.105/C.1/L.227). The Subcommittee agreed (see A/AC.105/719, para. 87) that the proposal could constitute the basis for consensus at the forty-second session of the Committee while, in addition, taking into account the views expressed by other delegations.

18. The Subcommittee agreed on a theme fixed for special attention at its thirty-seventh session and recalled its recommendation, as endorsed by the General Assembly in paragraph 14 (j) of resolution 53/45, that the Committee on Space Research and the International Astronautical Federation should be invited to arrange a symposium on the special theme during the first week of that session of the Subcommittee (see A/AC.105/719, para. 81).

19. With regard to the item on the use of nuclear power sources in outer space, in accordance with the four-year work plan endorsed by the General Assembly in paragraph 16 of resolution 53/45, the Subcommittee requested the Secretariat to invite Member States and international organizations to submit to the Subcommittee at its thirty-seventh session information on the identification of terrestrial processes and technical standards that might be relevant to nuclear power sources (see A/AC.105/719, para. 83).

7. Report of the Legal Subcommittee on the work of its thirty-eighth session (A/AC.105/721)

20. At its thirty-eighth session, the Legal Subcommittee, in accordance with paragraph 4 of General Assembly resolution 53/45, considered items 3-6 of its agenda, the deliberations concerning which are summarized below.

Question of review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space

21. The Legal Subcommittee recalled its recommendation, endorsed by the Committee on the Peaceful Uses of Outer Space at its forty-first session,[3] and decided not to re-establish its Working Group on agenda item 3, entitled "Question of review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space", at its forty-second session (A/AC.105/721, para. 21).

Matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union

22. The Legal Subcommittee, through its Working Group on agenda item 4, entitled "Matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union", continued its consideration of that item.

[3] Ibid., para. 175.

23. The Subcommittee agreed with its Working Group that the Secretariat should prepare updated versions of the working paper prepared by the Secretariat in cooperation with the International Telecommunication Union (A/AC.105/C.2/L.205) and of the compendium contained in the conference room paper of 27 March 1997 (A/AC.105/C.2/1997/CRP.3/Rev.1), both of which had been before the Subcommittee at its thirty-sixth session, with a view to continuing the examination of the working paper submitted by Colombia at the thirty-fifth session (A/AC.105/C.2/L.200 and Corr.1).

24. The Subcommittee took note of the report of the Working Group (see A/AC.105/721, para. 41, and annex I). The views expressed in the Subcommittee are reflected in its report (A/AC.105/721, paras. 30-38).

Review of the status of the five international legal instruments governing outer space

25. In accordance with paragraph 4 (c) of General Assembly resolution 53/45, the Subcommittee established a working group on agenda item 5, entitled "Review of the status of the five international legal instruments governing outer space", and continued consideration of the item through the working group.

26. The Subcommittee had before it a note by the Secretariat on the review of the status of the five international legal instruments governing outer space (A/AC.105/C.2/L.210 and Add.1); working papers on the same subject submitted by Germany on behalf of the member States of the European Space Agency and States having signed cooperation agreements with the Agency (A/AC.105/C.2/L.211/Rev.1, paras. 2-9) and the Russian Federation (A/AC.105/C.2/L.213); and the preliminary list of international agreements and other available legal documents relevant to space-related activities (A/AC.105/C.2/1999/CRP.5), prepared by the Secretariat pursuant to a request by the Subcommittee at its thirty-seventh session.

27. The Working Group recommended a set of measures to be adopted in order to achieve the fullest adherence to the five international instruments governing outer space (see A/AC.105/721, annex II, para. 13).

28. The Subcommittee took note of the report of the Working Group (see A/AC.105/721, para. 55, and annex II). The views expressed in the Subcommittee are reflected in its report (A/AC.105/721, paras. 45-52).

New items for the agenda of the Subcommittee

29. In accordance with paragraph 4 (d) of General Assembly resolution 53/45, the Subcommittee continued its informal consultations on specific proposals already made for possible new agenda items for the Subcommittee. The discussions on the matter are reflected in the report of the Subcommittee on its thirty-eighth session (A/AC.105/721, paras. 58-65).

30. Pursuant to the wish expressed by the Committee at its forty-first session,[4] inter-sessional consultations on the concept of the "launching State", open to all interested Member States, had been held and a report on the consultations had been made available to the Subcommittee (A/AC.105/L.217). The Subcommittee noted (see A/AC.105/721, para. 62) that the results of the consultations as contained in the report would be formally presented for discussion and adoption by the Committee at its forty-second session.

[4] Ibid., para. 152.

Future work

31. The Subcommittee considered matters relating to its future work, in particular the structure of the agenda for its thirty-ninth session, in the year 2000, and subsequent sessions. The views expressed on the matter are also reflected in the report of the Subcommittee (A/AC.105/721, paras. 74-76).

32. The Subcommittee noted that Germany, on behalf of Austria, Canada, France, Greece, India, the Netherlands, Sweden and the United States, had submitted a working paper entitled "Revision of the agenda of the Legal Subcommittee" (A/AC.105/C.2/L.217 and Corr.1). The working paper, as well as amendments to it proposed by Italy, are contained in the report of the Subcommittee (A/AC.105/721, annex IV).

8. Other matters

Members of the bureaux for the second three-year term

33. At its fortieth session, in 1997, the Committee agreed that its Chairman for the second three-year term starting in the year 2000 would be Raimundo González (Chile). The First Vice-Chairman and Second Vice-Chairman/Rapporteur for the second term would be determined at that time through consultations between the Group of Asian States and the Group of African States.[5] The chairmanships of both Subcommittees would continue to be held for the second three-year period, starting in 2001, by the Group of Western European and Other States and the Group of Eastern European States.

34. The Committee should consider the matter with a view to identifying all the members of the bureaux for the second three-year term, starting from its forty-third session, in the year 2000, for endorsement by the General Assembly at its fifty-fourth session.

Schedule of work of the Committee at its forty-third session

35. The Committee should note that, in paragraph 29 of its resolution 53/45, the General Assembly agreed that in view of the abbreviated schedule of work of the Committee at its forty-second session and the preparatory work to be conducted for UNISPACE III, the Committee should suspend its work on the following items for one year, to be resumed at its forty-third session: (a) consideration, as a matter of priority, of ways and means of maintaining outer space for peaceful purposes; and (b) consideration of the item entitled "Spin-off benefits of space technology: review of current status".

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[5] Ibid., *Fifty-second Session, Supplement No. 20* (A/52/20), annex I, para. 5. At its fortieth session, the Committee adopted a set of measures concerning the composition of the bureaux of the Committee and its subsidiary bodies, including the following: (a) the bureaux will consist of five offices: Chairman, Vice-Chairman and Rapporteur of the Committee, Chairman of the Legal Subcommittee and Chairman of the Scientific and Technical Subcommittee; (b) the five offices should rotate among the five regional groups, with one office being allocated to each of the regional groups: the Group of African States, the Group of Asian States, the Group of Eastern European States, the Group of Latin American and Caribbean States and the Group of Western European and Other States; and (c) the term of each office should be three years and no regional group should hold the same office for more than two consecutive terms.

Annex

Indicative schedule of work[a]

Date	*Agenda item*	*Morning*	*Agenda item*	*Afternoon*
Wednesday, 14 July 199	1	Adoption of the agenda	4	General exchange of views
	2	Election of officers	5	Preparations for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) by the Preparatory Committee for UNISPACE III[b]
	3	Statement by the Chairman		
	4	General exchange of views		
	5	Preparations for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) by the Preparatory Committee for UNISPACE III[b]	6	Report of the Scientific and Technical Subcommittee
			7	Report of the Legal Subcommittee
Thursday, 15 July 1999	5	Preparations for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) by the Preparatory Committee for UNISPACE III[b]	5	Preparations for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) by the Preparatory Committee for UNISPACE III[b]
	6	Report of the Scientific and Technical Subcommittee on the work of its thirty-sixth session	6	Report of the Scientific and Technical Subcommittee on the work of its thirty-sixth session
	7	Report of the Legal Subcommittee on the work of its thirty-eighth session	7	Report of the Legal Subcommittee on the work of its thirty-eighth session
			8	Other matters
Friday, 16 July 1999	8	Other matters	9	Report of the Committee to the General Assembly
	9	Report of the Committee to the General Assembly		

[a] At its thirty-eighth session, the Committee agreed that member States would continue to be provided with an indicative schedule of work, which would be without prejudice to the actual timing of consideration of specific agenda items (Official Records of the General Assembly, Fiftieth Session, Supplement No. 20 (A/50/20), paras. 168 and 169 (b)).

[b] The Committee will meet as the Preparatory Committee for UNISPACE III to finalize its preparations for UNISPACE III.